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ABSTRACT

This study analyzes the copyright knowledge levels of media directors of selected higher education institutions. A questionnaire was mailed to 466 media professionals at higher educational institutions who were members of the Division of Educational Media Management in the Association for Educational Communications and Technology (AECT). The overall knowledge level of the 1976 Copyright Act was determined by questioning the media directors with respect to specific areas of the law that are pertinent to their responsibilities; these areas included Sections 106 (Exclusive Rights), 107 (Limitations on Exclusive Rights: Fair Use), 110 (Limitations on Exclusive Rights: Exemption of Certain Public Performances), and the related guidelines that cover classroom materials taken from books and periodicals, music, and off-air videotaping. Information on demographics was also collected. The demographic questions included position title, years of experience, level of education, and size of academic institution where the respondent works. In addition, follow-up interviews were conducted with a random sample of 10 percent of the respondents. A pilot study was conducted using the questionnaire to determine the reliability of the instrument. The results demonstrate that the majority of media directors across the country do not have a proficient knowledge of the copyright law and related guidelines. Only 18 percent were able to achieve the established proficiency level of 75 percent; the 18 percent of proficient respondents is the highest level achieved in any of the previous studies. The follow-up interviews also demonstrated that there is an acute awareness of copyright in the media profession in higher education. Recommendations for improvement and future study are included. (Contains 91 references.) (AEF)

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Title:

An Analysis of the Knowledge Levels of Media Directors Concerning Relevant Copyright Issues in Higher Education

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General Method

This study analyzed the copyright knowledge levels of media directors of selected higher education institutions. The study determined their overall knowledge level of the 1976 Copyright Act by questioning the media directors with respect to specific areas of the law that are pertinent to their responsibilities. These specific areas included Sections 106 (Exclusive Rights), 107 (Limitations on Exclusive Rights: Fair Use), 110 (Limitations on Exclusive Rights: Exemption of Certain Public Performances), and the guidelines that cover classroom materials taken from books and periodicals, music, and off-air videotaping. Information on demographics was also collected. In addition, follow-up telephone interviews were conducted with a random sample of 10% of the respondents.

Research Population

The population consisted of members of the Division of Educational Media Management in the Association for Educational Communications and Technology (AECT) who are employed at institutions of higher education and other members of AECT who indicated in the directory that they have some media responsibilities at higher educational institutions. The 1993 AECT Membership Directory was used to identify members of the population. Several criteria were used to determine if a subject was a potential member of the population. These included the subject's position title. Members of the sample group who were chosen had titles of media director, media specialist, head of audio-visual, director of learning resources, or similar variations, at higher educational institutions. The AECT directory provides two other alternatives to locating population members. The first is the division affiliation of each member. The Division of Educational Media Management (DEMM) primarily contains educational media directors. However, some members of DEMM are involved in K-12 management. Subjects who indicated that they were members of DEMM and worked at higher educational institutions were considered to be members of the sample group. Finally, many AECT members list professional descriptions with their address (i.e. Teacher/Professor, Librarian, Instructional Designer, etc.) Those individuals who indicated that they were an AV director or media specialist at a higher educational institution were also included. A total of 466 subjects, nationwide, were identified as being probable members of the population due to their position titles or their affiliations within the organization. Even with the detailed and individual selection of population members, it was expected that a minor percentage of those identified may be eliminated later, because they are not media professionals at a higher educational institution. This anticipated reduction in the number of members of the population was taken into account when determining the sample size.

The cover letter included with the mailed instrument identified the population and asked participants to complete the survey only if they were members of the population. Demographic questions on the survey were alsoused to screen respondents who were not part of the population.

Specific Procedures

Each of the 466 members of the sample population were mailed the questionnaire. Members of the sample group were mailed a questionnaire (multiple choice test) that asked specific questions concerning the Copyright Law of 1976. In addition, a cover-letter describing the study, and a self addressed stamped envelope accompanied the questionnaire. The return envelopes were coded to determine who had responded. A follow-up mailing to those who did not respond to the first mailing took place one month after the initial mailing. Respondents' answers to the instrument remained anonymous. Answers on the returned questionnaire were transferred to a tabulation sheet.

After both mailings were complete, follow-up telephone interviews were conducted with a random sample of 10% of the respondents. Selection of this sample was done by using the numbers assigned to each member of the poplation from the original mailing. Using a random number table, numbers were selected. If that number corresponds to a member of the population who responded to the questionaire, they were included in the interview. Selection continued until 10% of the respondents had been selected. If the interviewer was not able to reach the selected respondent after a reasonable period of time due to any variety of uncontrollable reasons, new random numbers were generated to replace those respondents who could not be reached by telephone. This process continued until the number of interviews reached 10% of the respondent population. Responses to the interview questions were recorded by the interviewer on paper. Each interview resulted in manual notations made on questionnaire sheets similar to Appendix C.

Instrumentation

The instrument used was an adaptation of the instrument used in the previous two studies (Wertz, 1984; Chase, 1993). The questions used compose a test concerning three sections of the Copyright Act of 1976 (Sections 106, 107 and 110) and the related guidelines (print materials, music, and off-air recordings). Eight questions were removed from the original instrument. These questions all dealt with Section 108 (Limitation on exclusive rights: Reproduction by libraries and archives) and the guidelines for photocopying/ interlibrary loan arrangements. The remaining questions were rewritten and expanded in an attempt to make clear the intent of the query. All of these questions are multiple choice with only one correct response. Great effort has been taken to clear any ambiguity that could have arisen from any of the questions. Each question and correct response comes directly from the law or the related guidelines. In addition, questions concerning demographic data were added to the beginning of the questionnaire, and a space for general comments was added at the end.

Pilot Study

A pilot study was conducted using the questionnaire. Volunteers were solicited from the Media-L Listserv and the CCUMC (Consortium of College and University Media Centers) Listserv on the Internet. These lists are groups of media professionals who exchange information via the Internet. A message was sent to each group asking for help from media directors at higher educational institutions who were not members of AECT. A total of twenty two directors responded to the request for assistance. The questionnaire was then transmitted by facsimile to the twenty two who indicated an interest. Their responses were then returned by facsimile. Twenty professionals provided responses and comments. As a direct result of their comments, some minor changes and revisions were made to the instrument. The survey responses were tabulated, and the Office of Measurement and Evaluation at the University of Pittsburgh provided an analysis to determine the reliability of the instrument. Using the Kuder-Richardson 20 formula to determine reliability, a score of .74 was achieved. As a self developed instrument, it was deemed reliable.

Treatment of the Data

Returned responses from the study were tabulated, and the total percentage of correct responses for each respondent was determined. A total correct percentage score of 75% was used as the criterion to determine a proficient knowledge level. This proficiency level is consistent with the previous studies (Wertz, 1984; Chase, 1993). The total number of respondents who achieved the 75% proficiency level was determined. The number of proficient respondents was divided by the total number of respondents to determine the final percentage of proficient respondents.

Additional analysis took place by examining the six areas on which the questionnaire focuses (Sections 106, 107, 110 & guidelines for classroom materials, music, and off-air recordings). Scores were calculated that showed the percentage of group members who reached the 75% proficiency performance in each particular section. All of these percentage scores were contrasted to the percentage results of the previous studies (Wertz, 1984; Chase, 1989).

The demographic data collected was also examined. Each of the four questions at the beginning of the survey was used to further interpret the results.

The first question concerns the position title and provides for a response of: a) media director/ media specialist/ AV director, b) librarian, c) faculty, or d) other (please explain). While one of the primary reasons for this question was to ensure that respondents were members of the population, the other was to attempt to establish the breakdown of media professionals who saw themselves as media librarians vs. media "non-librarians."

The second demographic question deals with the respondent's total number of years experience as a media professional. The possible responses include: a) 0-5 years, b) 6-15 years, c) 16-25 years, or d) 25 or more years. This question helped to determine if new members of the field are better prepared to deal with copyright questions than established members. In contrast, it attempted to show that those who have been in the field for a number of years appear to be more competent when dealing with copyright related issues.

Level of education is the third portion of the demographic data collected. Possible responses include a) bachelor's degree, b) MLS master's degree, c) other master's degree, or d) doctoral degree. Two primary questions were evaluated with this question. First, did a terminal degree in the field translate into a better understanding of copyright issues? The second question deals again with the librarian vs. non-librarian

relationship. Are the MLS professionals perhaps the best prepared of all the media professionals when it comes to copyright?

The final question deals with the size of the academic institution where the respondent works. The possible options include: a) under 5000, b) 5000-10,000, c) 10,000 - 20,000, or d) over 20,000. What impact did the size of the institution have on director's knowledge level of copyright? Do members of large institutions have a more in depth knowledge of copyright or are there specialists on campus who relieve them of that responsibility?

Once all the data was collected, an evaluation was made to determine the results. The first evaluation examined all of the respondents who achieved or exceeded the 75% criterion. The demographic responses of only the proficient group were tabulated and contrasted.

The second evaluation examined the percentage of respondents who reached the proficient state in each of the six divisions. These scores are contrasted to the scores of the 1984 and 1993 study.

Finally, a Chi-square test was used to examine the relationship between demographic characteristics and proficiency. Each of the four demographic areas were tested in an attempt to identify significant scores in any particular group. This was done by comparing expected percentages of proficient respondents to actual percentage of proficient respondents to each of the four demographic responses. The final result produced a statistical table for each of the four demographic questions. Each table shows the percentage of proficient and non-proficient respondents within each of the possible four choices in the demographic question. This test was extended by cross tabulating the six areas of the law, demographics, and proficiency to determine levels of significance.

Questionnaire Responses

On May 13, 1994, 466 copies of the questionnaire (Appendix A) along with a cover letter (Appendix B) and a self-addressed, stamped envelope were mailed to identified AECT members. On June 15, 1994, 266 follow-up letters with another copy of the questionnaire and another self-addressed, stamped envelope were mailed to those individuals who had not yet responded. By July 15, 1994, two hundred members had responded by completing the questionnaire. Forty-five others had mailed back the cover letter indicating that they were not part of the population. Seven individuals indicated that they did not wish to participate. Seven letters were returned by the post office as "undeliverable," and one member of the population died.

Survey Results

The responses to all the survey questions were compiled and analyzed. The reliability of the instrument was again calculated. Using the Kuder-Richardson 20 formula, a score of .79 was realized. The instrument was again deemed reliable.

The mean score of the respondents on the instrument was 58.6%. Eighteen percent (or 36) of respondents scored 75% or higher on the instrument. This contrasts to 15% in the 1984 study and 10% in the 1993 study. A complete breakdown of percentages of respondents who reached the proficient state of 75% or higher in each of the different instrument sections is shown in Table 1.

The section with highest percentage of respondents reaching the proficient state was the Guidelines for Off-Air Videotaping with 62%. The section with the lowest percentage of respondents reaching the proficient state was Section 110 (Limitations on Exclusive Rights: Exemptions of Certain Performances and Displays) with only 26%. Three of the sections showed higher percentages than either of the previous two studies. These included Section 106 (Exclusive Rights), Section 110, and the Guidelines for Classroom Copying with Respect to Books and Periodicals. Only Section 107 (Limitations on Exclusive Rights: Fair Use) showed a lower percentage than the previous two studies. Two of the sections showed mixed results with the percentages falling between the previous two studies. These included the Guidelines for Classroom Use of Music and the Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes.

Table 1

Percentage of Respondents Who Reached the Proficient State in Each Division

Area of Copyright Law	% in 1984 Study (n=144)	% in 1993 Study using 1984 instrument (N=93)	% in 1994 Study using revised instrument (n=200)
Section 106 Exclusive Rights	47% (n=68)	53% (n=49)	61% (n=122)
Section 107 Fair Use	71% (n=102)	66% (n=61)	56% (n=112)
Section 110 Public Performance	11% (n=16)	8% (n=7)	26% (n=52)
Classroom Guidelines	23% (n=33)	14% (n=13)	31% (n=62)
Music Guidelines	32% (n=46)	25% (n=23)	28% (n=56)
Off-Air Videotaping Guidelines	59% (n=85)	74% (n=69)	62% (n=124)
All sections	15% (n=21)	10% (n=9)	18% (n=36)

Table 2

Number of Proficient Respondents Separated by Demographic Responses

Question	Responses			
Position	(media director) 30	(librarian) 1	(faculty) 0	(other) 5
Years in Profession	(0-5 years) 2	(6-15 years) 14	(16-25 years) 18	(25 or more) 2
Highest Degree Earned	(bachelor's) 2	(MLS) 3	(master's) 18	(doctoral) 13
Size of Institution	(<5000) 13	(5-10,000) 9	(10-20,000) 6	(>20,000) 8
				(n=36)

Table 2 shows the breakdown of how the proficient respondents answered the demographic questions. A total of 36 respondents scored 75% or higher on the survey. The proficent respondents' demographic responses are indicated below. Each row of responses will total 36 for the number of proficient respondents. It should be noted that each column did not have an equal number of respondents.

Further evaluation was done on the demographic data in an attempt to identify significant differences. A Chi-Square analysis was done to cross tabluate each of the demographic data areas with proficiency. A significance level of .05 was used to interpret the results. Tables 3 through 6 show the results of that analysis.

Table 3

Cross Tabulation of Position Title with Proficiency

Response	Proficient *fo* *(fe)*	Not Proficient *fo* *(fe)*
media director	30 (29.3)	133 (133.7)
librarian	1 (1.3)	6 (5.7)
faculty	0 (.9)	5 (4.1)
other	5 (4.5)	20 (20.5)
fo = frequency observed *fe = frequency expected*		n = 200 X^2 = .74131

Table 4

Cross Tabulation of Years of Experience with Proficiency

Response	Proficient *fo* *(fe)*	Not Proficient *fo* *(fe)*
0 - 5	2 (4.1)	21 (18.9)
6 - 15	14 (15.3)	71 (69.7)
16 - 25	18 (13.0)	54 (59.0)
25 or more	2 (3.6)	18 (16.4)
fo = frequency observed *fe = frequency expected*		n = 200 X^2 = .19176

Table 5

Cross Tabulation of Highest Level of Education with Proficiency

Response	Proficient *fo* *(fe)*	Not Proficient *fo* *(fe)*
bachelor's	2 (3.9)	20 (18.1)
MLS	3 (3.7)	18 (17.3)
other master's	17 (17.2)	80 (79.8)
doctoral	13 (10.1)	44 (46.9)
fo = frequency observed *fe = frequency expected*		n = 197* X^2 = .51202 * 3 responses could not be used

Table 6

Cross Tabulation of Institution Full Time Enrollment (FTE) with Proficiency

FTE	Proficient *fo* *(fe)*	Not Proficient *fo* *(fe)*
< 5000	13 (12.8)	58 (58.2)
5000 - 10,000	9 (7.9)	35 (36.1)
10,000 - 20,000	6 (7.2)	34 (32.8)
> 20,000	8 (8.1)	37 (36.9)
fo = frequency observed *fe = frequency expected*		n = 200 X^2 = .93406

Each of the four cross tabulations showed a level of significance of >.05. Therefore, the number of proficient and non-proficient respondents in each of the demographic categories can be considered not significant. None of the areas showed an unusually high or low number of respondents.

Each of the six areas of the law were also contrasted with the demographic data in relationship to proficiency. The respondents who reached the criterion level of proficiency in the specific section were contrasted with their demographic responses. Only one section showed a level of significance < .05. Table 7 shows the analysis for the cross tabulation of the full time enrollment on Section 107 and proficiency.

Table 7

Cross Tabulation of Full Time Enrollment by Section 107 with Proficiency

Response	Proficient *fo* *(fe)*	Not Proficient *fo* *(fe)*
< 5000	43 (39.4)	28 (31.6)
5000 - 10,000	16 (24.4)	28 (19.6)
10,000 - 20,000	25 (22.2)	15 (17.8)
> 20,000	27 (25.0)	18 (20.0)
fo = frequency observed *fe = frequency expected*		n = 200 X^2 = .03802

It can be determined that there are some significant differences in the results of Table 7. Most notably is the poor performance by members of the 5000 - 10,000 group, who showed only 16 proficient members when questioned about Section 107 (fair use). The other three groups all showed a higher than anticipated number of proficient respondents.

At the end of the survey a place was provided for comments. Almost a third of the respondents chose to make comments concerning the study or on copyright in general. The comments ranged from general observations about copyright to specific requests for information. Many people asked for a copy of the findings, the correct answers, or suggestions of good reference materials dealing with copyright. Many of these requests have been filled. However, the responses were blind, and if the respondent did not provide an address or name, it was impossible to do so. Others requested that the results be posted on the Internet for review.

Several comments were made concerning multimedia, computer software, and distance learning issues and their noted absence in the survey. A number of people also noted that some of the subject areas were not relevant to their job area. As a result, these people were also concerned that their scores would not represent their actual copyright knowledge level within their position.

A few people critiqued the methodology of the study asking if the questions would really provide any answers. Two individuals noted that this was an exam not a survey or complained about the length and depth of the quesionaire. One director's response summed up the negative comments:

> This is much more of a quiz on whether the reader did his or her reading assignment than it is an attempt to survey the working knowledge of practioners. You've been taking graduate courses too long. You haven't
>
> found our how "knowledgeable I am about . . ." You found out how good I am at taking a confusing quiz.

These sentiments were not shown by the majority of respondents. Many of the comments were positive and noted the importance of copyright in the profession. Some members applauded the effort to do research on such a timely and controversial topic. Others mentioned that after attempting to answer the questions that they realized they weren't as familiar with the law as they thought they were. One respondent commented that copyright needed to be included in education methods courses and not left only to media professionals.

Follow-up Interviews

During the last two weeks in July, follow-up interviews were conducted with a random sample of 10% of the respondents. During the interview process, it was necessary to replace four members of the interview group. Two members could not be reached. One member was on extended leave, and the fourth was no longer with the institution. Their replacements were selected using the same process as the initial selections.

Each interview began with an introduction refreshing their memory about the study and a reminder that all of their responses would remain anonymous. The first question determined if they felt the questions provided an accurate measurement of their copyright knowledge. Fourteen of the twenty subjects indicated that they thought the questions provided an accurate measurement of their copyright knowledge. Some members commented that they felt the questions were "broad based" and "appropriate," although others who answered yes also noted that some of the questions were not related to their specific work. While one subject could not recall the questions, five indicated that they did not feel the questions provided an accurate measurement. Their comments noted that: they knew more than they were asked, they were unhappy with the question structure, they felt the questions were somewhat skewed and did not show enough concern for multimedia applications, or that their position dealt primarily with print materials and the majority of the questions were inappropriate.

The second question determined if there were areas of the law that should have been added or removed from the questionnaire. None of the subjects mentioned any areas that they thought should be removed. There were a number of suggestions for additions. Three members indicated multimedia should have been included. Two members noted computer software and distance education issues. Other topics discussed the inclusion of more on print materials, suggested guidelines, videotaping, format shifting, new media, and fair use material.

Question number three wanted to know if the questions on the instrument were, or were not, relevant to their job at the institution. Two of the subjects indicated that most of the material was irrelevant to their job. The music guidelines and the print guidelines, each received five votes as irrelevant. Off-air videotaping was also mentioned once as not being relevant. The remainder did not provide a response.

The fourth question attempted to discover how much help participants were getting in answering the questions. Did they use any reference materials or seek assistance in answering any of the questions? If they did, from what sources and how much? Four of the interviewees indicated that they did use some materials in answering the questions. Two of them noted that they had a copy of the law and referred to it. One mentioned a publication by Gary Becker entitled © Copyright: A Guide to Information and Resources and another mentioned a a publication by AIME entitled A Viewer's Guide to the Copyright Law: What Every School, College, and Public Library Should Know.

Question number five inquired into the subjects' background, and where and how they had obtained their copyright training. Professional journals was the most often cited source with ten members mentioning them. Nine subjects indicated that they had attended a seminar or workshop on copyright. Seven indicated that they had attended at least one session at the AECT national conference that related to copyright. Seven also mentioned books and publications that they had read to gain experience. Three indicated that their formal higher education had included copyright issues as part of the course work. Two mentioned the Internet and listservs as a source for information, and finally one had watched a teleconference on copyright issues in education.

The sixth question was a broad question asking what should a media professional know about copyright. The most common and flippant answer was "as much as possible," but many went on to cite specific areas. These included the guidelines (3 members), computer software (4 members), distance learning (3 members), duplication of materials (2 members), and fair use (3 members). The rest of the answers were a hodgepodge of suggestions and insights. These included: how to reach faculty with copyright information, what was permissible, how to stay out of trouble, ability to clearly explain the law, be too conservative, know the current issues, know what faculty can and can't do, have access to legal help, know who the definitive resource is on your campus, and applications to student projects. One member summed up the question by stating that we simply need for a code of ethics in our profession and for media professionals to use it in their work.

The seventh question attempted to gain insight on how the administration at each institution regarded copyright issues. Twelve of those people interviewed described their administration as viewing copyright as an important or very important issue. Two people described their actions as very good on computer software issues, but nonexistent for other non-print media. Four people said their institution tended to ignore copyright issues, and two described their institution as ambivalent.

Question number eight provided the members an opportunity to comment on AECT's effort to provide copyright information. Seventeen of the interviewees reacted positively noting the publications and efforts of the Association. One described their efforts as acceptable, while one claimed they had not seen much from AECT. Another interviewee described their efforts negatively. They described a recent copyright initiative with CCUMC that the copyright committee of AECT had pledged to support and then had not followed through.

The ninth question was concerned with how media professionals could best provide copyright information to other media professionals. Eight members mentioned professional journals as an avenue for the distribution on information. Six noted the Internet, with some suggesting a listserv for copyright issues. Print materials for distribution were mentioned by five respondents. Four listed workshops or conferences as one of the best ways to get the word out. Two people mentioned the possibility of teleconferences, and one suggested a videotape for distribution. Another insisted that copyright needs to be part of every related academic program and taught accordingly. Finally, one member suggested the best way was by setting a good example.

The final question provided an opportunity for any final comments that professionals wanted to make about the study or about copyright in education. Some who responded directly about the study mentioned that they felt the study was either important, valuable or worthwhile and appreciated someone doing the research. Two asked specifically to be sent the results, while one mentioned that they were fearful of the results. One suggested that the study should have been more flexible allowing greater leniency to members in areas that were not appropriate to their work.

With regard to copyright in general, two members mentioned the difficulty of the copyright issues surrounded new technologies in multimedia, distance learning, and electronic publishing. One interviewee discussed the difficulty of reaching the faculty and educating them to the importance of copyright.

Discussion & Findings

As predicted, a small percentage of media directors were able to reach the proficiency level of 75%. Only 18% (as compared to 15% in the 1984 study) were able to do so. This despite efforts to revise the instrument to make it more readable and the elimination of two sections considered irrelevant to the work of many media directors. The mean score for the respondents was computed at 58.6%, demonstrating that the directors did seem to at least have some background in copyright. This is higher than the mean score from the 1993 study which was 56.6% (The mean score from the 1984 study is not available). If, as suggested by some respondents, there had been a response of "not applicable" for those questions that were not relevant to the subject's work, we could have expected the number of proficient subjects and the mean scores to rise.

The survey method of data collection must be scrutinized when reviewing the results. The system developed to survey the directors leaves some degree of ambiguity in interpreting the results, regardless of how carefully it was administered. The attempt of the study was to identify the level of knowledge that directors had and use in their work environment. It was anticipated that some directors would use reference materials or seek assistance in answering the questions. The cover letter spoke directly to this by stating "provide responses to these questions using the same procedure as you would under normal working conditions." If reference materials or subject experts were available and regularly used by the professional, then they should be available for use in answering the survey. The objective was not to test the subject's memorization but to determine the quality of "working" information that directors were providing to their faculty and staff. The mailed survey can only give one perspective of this knowledge level. Other instruments may identify different percentages, but it is predicted that those percentages would not deviate significantly from the results of this study.

During the follow-up interviews, 20% of the directors indicated that they sought assistance in answering the questions. Though the possibility of more respondents examination of the copyright law and its guidelines might exist in their attempt at answering the questionaire. The researcher considered these respondents' efforts in this respect as a positive sincere attempt on their part at finding out what the law and its guidelines provide in answers to the questions at hand. The figure of 20% is surprisingly close to the percentage of proficient respondents. The correlation of the two was not examined, but future studies might find a relationship. Perhaps one of the major outcomes of this study may be that many directors locate and use reference materials. A number of people commented at the end of the questionnaire that they were not as familiar with the law as they thought, or that they needed to review some of the materials. Several respondents asked about a definitive resource for copyright issues in education. Suggestions were mailed back to those who requested the information.

The increase in the total proficiency of the group to 18%, while still low, is an encouraging sign. The trend is moving in a positive direction toward a more informed group. The current study had over 200 respondents, almost twice the number of the previous studies. The survey provided language that worked toward discovering the respondent's real knowledge level and not their ability to decipher the question. However, there was still criticism from the respondents concerning the difficulty and apparent trivial nature of some of the questions.

The individual section scores showed some interesting trends. Sections 106, 110, and the classroom print guidelines all showed the highest percentage of proficient respondents of the three studies. Copyright continues to be an issue discussed regularly at professional association meetings and in professional publications. This awareness may have partially manifested itself in an understanding of the basic rights of a copyholder (Section 106). This would explain the percentage rise for Section 106. The rise in Section 110 is probably primarily related to the rewording of some of the questions from this area. Those questions in particular were difficult to read because of the legal language. The restructured questions perhaps gave a better insight into the actual understanding of the Section by the directors. Another explanation for the increase could be the recent reexamination of the Section given the new issues arising in distance education. Debate continues on the merits of public performance exemptions on distance learning applications. These issues may have aided in supplementing the professionals knowledge of this area of the law. The classroom guidelines for print materials also saw its highest percentage of proficient respondents. No specific event can be attributed to this increase. However, some of these questions were also rewritten, and perhaps the attention generated by the recent Kinko's case has brought additional awareness to these issues.

The decrease of proficiency in Section 107 (fair use) is the most intriguing of the results and may be the most difficult to specifically explain. The other two sections of the 1976 law both showed increases in the percentage of proficient respondents. Fair use continues to be one of the most misunderstood and misinterpreted portions of the law (Sinofsky, 1984). This is one of the areas where only a little knowledge can be damaging, since a number of variables impact on fair use interpretations. While the majority (88%) understood that fair use was applicable to teaching, news reporting and criticism, only 36% knew that the medium was not a factor when determining fair use. When asked what the key to the purpose and character of fair use was, 63% were able to identify the correct response "for non-profit educational purposes." Seventy-five percent identified the effect of the use of a copyrighted work upon the potential market as a "major consideration." Based on these responses it would appear that many are familiar with fair use, but could not accurately identify and evaluate specific applications using the four criteria for fair use. This is a difficult area of the law for media directors and is the one area that specifically shows the need for additional instruction. Many directors are quick to claim an understanding of fair use, but few can probably recall the four criteria for the application of fair use.

Both the Music and Off-Air Videotaping Guidelines received mixed results. Their percentages fell between the previous two studies. Several of the respondents noted that one or both of these areas were not applicable to their work. It should be noted that 17% of the respondents did not answer each of two of the music questions. Changes in technology have also complicated the issues of videotaping programs. Many directors (33.5%) did not understand that cable television programming is not covered by the off-air guidelines. Additional instruction is required for both areas.

The attempt to cross tabulate the demographic statistics with proficiency provided no significant findings. The first statistic involved the analysis of position and proficiency. As discussed earlier, this question was primarily a filter to eliminate respondents who were not part of the population. One respondent was eliminated when she indicated she was a media professional for a secondary school district. The media director/specialist choice was selected by 81.5% of the respondents. It was therefore difficult to draw any conclusions due to the low number of responses for the other choices. The Chi-square analysis found no significant difference in the number of proficiencies in each of the selections.

The cross tabulation of years in the profession with proficiency showed no significance at the .05 level, but it was interesting to note which group had the highest number of proficient respondents. The group who had been employed 16 - 25 years composed 36% of the total group, yet they were 50% of the total number of proficient subjects. The X^2 was .19 meaning that statistically this could have happened by chance, but future studies may examine this area and find a discrepancy.

The last two cross tabulations with total proficiency (highest degree earned and size of institution) showed no irregularities. Their X^2 s were .51 and .93 indicating that the results are consistent with the population.

The only significant result was found when the six individual sections of the copyright law were cross tabulated with the demographics and section proficiency. When full time enrollment and Section 107

(fair use) were analyzed with the proficiency levels, the level of significance was only .03. Members who worked at institutions that had a full time enrollment of 5000 - 10,000 scored significantly lower than anticipated. It is difficult to explain the poor performance of this specific group since their overall proficiency level was not below expectations. There are misconceptions concerning the understanding and applications of fair use as discussed earlier and in chapter two. This group appears more confused on this issue than most, and probably doesn't have legal counsel on campus to provide regular interpretations. They are apt to be making fair use judgement at their own discretion. Directors need to fully understand fair use in order to apply it properly.

The attitudes of the directors were apparent from the comments made on the questionnaire and from the follow-up interviews. Over half of the population returned the instrument in some form. Given the time and effort required to complete the questionnaire, copyright must be an important issue for media directors to invest that much effort. This became further apparent when many respondents attempted to justify their shortcomings at the end of the survey. Many expressed the importance of the issue and knew they that needed to be well informed.

Each of the directors who were interviewed had received or participated in some type of copyright training. Many spoke of workshops, reference materials, or conference activities as the source for the insight they had gained on the subject. None of the interviewees were apathetic or ambivalent to the issues of copyright in education. In fact, the reverse was true. Most of the directors had a specfic point of view that they felt was important to convey. Often this position was expressed as soon as they were asked the first question. Often this position was a recurring theme in the answers to many of their questions (i.e. new technologies are making copyright more difficult, educating our faculty is the most difficult aspect, our institution does not see this as an important issue, overly conservative interpretations of fair use will eventually hurt us all).

As might be expected there were no clear solutions provided by the interviews. The concensus agreed that we needed to keep working to assure educators are provided representation in the modeling of new guidelines and in the creation of future copyright acts. While the results of the mailed survey showed a minor percentage of directors at the competency level, the interviews and the comments indicated that directors are aware of the issues and what is at stake. Copyright is a difficult issue to manage on college campuses. The struggle to maintain ethical practices and work within institutional budgets sometimes causes a strain on middle managers, like media directors. They are caught between the faculty's request for services that may border on infringement, and a budget that cannot provide a purchase request for needed materials to provide instruction. A clear policy instituted by a knowledgable director is the best way to provide equity to all the parties involved.

Conclusions

The results of this study demonstrate that the majority of media directors across the country do not have a proficient knowledge of the copyright law and related guidelines. A meager 18% were able to achieve the established proficiency level of 75%. All of the questions that they were asked came directly from the law and related guidelines. The study intentionally eliminated any questions that might have an ambiguous answer or would cause debate over interpretation.

The positive result from these findings is that the percentages appear to be moving upward. The 18% of proficient respondents is the highest level achieved in any of the previous studies. The follow-up interviews also demonstrated that there is an acute awareness of copyright in the media profession in higher education. Media directors may not always have the correct answer to copyright questions, but they will usually have an opinion. Almost all of the directors mentioned some type of professional development that they had done concerning copyright. Some of the work had been voluntary, but others described mandatory sessions that they attended at a local or state level.

This study focused on members of AECT, the largest professional organization for media professionals. The organization maintains a copyright committee that works to educate and inform the group members. It should be noted that the results of this study showed the positive influence that the group is beginning to have. Many of the members referred to the column the committee sponsors in the association's publication, Tech Trends. When asked about the efforts of AECT in providing copyright information, 90% of the directors responded with a "very good" or "excellent". They were familiar with the workshops the group had conducted and the sessions they had sponsored. The lone negative response was from a member who was upset over the association's lack of support for an initiative that another organization was sponsoring. Further investigation into the situations revealed that AECT had provided considerable support and representation to the initiative.

The work of AECT needs to continue and be expanded. They have at hand a critical issue that is at a highly vulnerable stage of development. The issues in copyright are remerging in the continued development of technology. As this work goes to press, the presidential commission on the National Information Infrastructure (NII) Advisory Council is preparing a document to begin to deal with many of the issues brought on by the information highway. One of those issues will be copyright. The report from that council will be the blueprint for the structure of future copyright legislation and guideline development. AECT can take the leadership role by recognizing these developments and championing the causes of its constituents.

Recommendations for Improvement & Future Study

The educating of media directors needs to continue. The study results show that there are some obvious knowledge gaps in media directors' backgrounds. In particular, the interpretation of fair use is still a misunderstood, and misapplied concept, and should receive the greatest concentration. The content areas concerning the music and off-air guidelines also need more consideration or instructional emphasis. However, the scores show that there actually is no area of the law in which the media directors can demonstrate a competency.

The dissemination of information needs to continue from professional organizations, government bodies, and other concerned parties. AECT's efforts were mentioned favorable by almost all of the interviewees. AECT's publication *Tech Trends* features a regular column on copyright. Their efforts should be continued and expanded. The AECT copyright committee is currently considering sponsoring a teleconference. Two copyright teleconferences have been aired recently, but both were targeted at different audiences. Such a venture would reach many professionals. New avenues, like teleconferences, need to be continually developed in attempting to reach practioners with information.

New questions are continually being asked as technology changes and the answers to old questions are constantly being reevaluated. The debate and disscussion of these issues is important if we are to come to any resolutions. This should take place through a variety of methods including most of those currently being used like professional journals, conference sessions, and workshops. One of the newest forums is the Internet listserv "cni-copyright", a moderated discussion list on copyright and intellectual property rights issues. Educational issues are occasionally discussed on this list. It would be desirable, as some of the intervewees suggested, to have a listserv dedicated to educational copyright issues with a content expert to moderate the discussion. Perhaps one of the professional organizations could sponsor and moderate such a list.

Additional study is needed to collaborate the findings of this and previous studies. Different data collection methods will help validate the results of this study, as well as, provide additional insight. One suggestion would be to query members in person, perhaps at a national convention. By asking a group of them the same question at the same time, the results may provide unique findings.

Different populations could be examined. The relationship between the MLA degree professionals and non-MLA professionals provided little data. By using a similar instrument with American Library Association non-print media librarians and contrasting the results from this study, a significant relationship may be apparent. Another study might look at the relationship of the faculty's knowledge level versus the media director's knowledge level. Does a well informed director with a clear copyright policy translate into a faculty that has a basic understanding of the law?

The revision of the instrument needs to continue for any further study. The questions should continue to be revised. As more guidelines become available for distance learning, multimedia, and computer software, they should be included in the instrument. It should also be possible for the respondents to indicate "not applicable" as a response. If an area of the law is not relevant to their work, it should not be included in the analysis of their performance. The response of "don't know" might also be added to the list of choices on the instrument. This would help clearly identify areas of the law with which the population is unfamiliar.

Summary

The educating of media directors across the country needs to continue. If media directors are to take full advantage of the educational exemptions without infringing on exclusive rights, they must have a thorough understanding of the law. Many educators are frustrated by the limitations of the Copyright Act, but if they fully understood the law and its intent, they would understand the liberal degree of latitude that is

available. While most directors have some knowledge of the law, only 18% can demonstrate a criterion level of competency. The area of fair use is one specific aspect that requires additional work. Professional associations like AECT and CCUMC need to continue their work and disseminate information about copyright. Directors need to also take the initiative to own and refer to copyright reference materials. The ethics of the media profession are continually being molded by the behaviors of media directors across the country.

A proficient knowledge of the copyright law should be a priority for every media professional.

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